

REMARKS / ARGUMENTS

Claims 20 and 42-53, 55 and 56 are currently pending in the application. Claims 20, 42-43 and 51-52 are amended. Applicant has added new claims 57-65. Support for these amendments can be found in the specification as originally filed. No new matter is added by the amendments. In view of the following discussion, the Applicant submits that all pending claims are in condition for allowance.

In the Office Action on page 2, paragraph 3, the Examiner rejected claims 20, 42-45, 47, and 49 under 35 U.S.C. 102(e) as being anticipated by Japanese Patent Application Laid-open No. 2002-285951 (“‘951 reference”). Applicant respectfully traverses this rejection.

Amended claim 20 recites a buoyant foundation comprising a foundation body having a lower part adapted to be submerged below a wave motion area of a body of water and having an upper part adapted to extend above the surface of the water and support a wind turbine, wherein the foundation body is adapted to be anchored with blocked thrust to counterweights on a surface of a floor of a body of water. The blocked thrust and counterweights of claim 20 produce an anchoring system of tensioned lines unlike that achieved by a floating body. The ‘951 reference does not disclose all the limitations of amended claim 20. The ‘951 reference discloses a floating body-type structure that is *partially* submerged below the sea level that does not use the principle of blocked thrust. Indeed, the total weight of the structure of the ‘951 reference and the buoyancy of the displaced water are in a balance, *i.e.*, the device disclosed and illustrated in the ‘951 reference swims like a ship and its displacement of water is according to its weight. Moreover, the ‘951 reference discloses only a single line 6 for attachment to a mooring facility which does not appear to be disposed near the sea floor, the mooring line being disposed laterally from the foundation. As such the principle of blocked thrust is not employed or even hinted at, thus the ‘951 reference does not teach or even suggest each and every limitation of claim 20. Claims 42-45, 47 and 49 depend from claim 20 and recite additional features. As such, Applicant submits that claims 20, 42-45, 47 and 49 are not anticipated by the ‘951 reference. Accordingly, Applicant respectfully requests that the Examiner’s rejection be withdrawn.

In the Office Action on page 3, paragraph 2, the Examiner rejected claims 20, 42-44, 46-47, 51, 53, and 55 under 35 U.S.C. 102(b) as being anticipated by WIPO International

Publication Number WO 01/73292 A1 (“‘292 reference”). Applicant respectfully traverses this rejection.

Amended claim 20 is recited above. The ‘292 reference does not disclose a foundation body with blocked thrust submerged below a wave motion area of water. The Examiner cites page 4, lines 1-3 of the ‘292 reference referring to the foundation of the ‘292 reference as floating “on the water surface but also below the surface, and particularly right below the surface.” The present invention is not a floating platform as taught by the ‘292 reference, but a buoyant platform adapted to be submerged having blocked vertical thrust. The platform of the present invention is adapted to be placed well below the wave motion area and thus avoids the tilting caused by wave motion. The present invention works on a totally different principle compared to a floating platform, which sits on the water surface due to its buoyancy and is immersed in the water only as far as its own weight creates a displacement of water enough to carry the platform on the water, as a ship. As such, the ‘292 reference does not disclose each and every limitation of claim 20. Claims 42-44 and 46-47 depend from claim 20 and recite additional patentable features. As such, Applicant submits that claims 20, 42-44 and 46-47 are not anticipated by the ‘292 reference.

Amended claim 51 recites a method of implementing a buoyant foundation adapted to support a load comprising immersing a foundation body adapted to have adjustable buoyancy with blocked thrust below a wave motion area of water; adjusting an amount of air in the foundation body to control the depth of the foundation body in the water; and disposing a turbine tower having a wind turbine on an upper part of the foundation body and attaching a counterweight to the foundation body using a tension cable. The deficiencies of the ‘292 reference with respect to a foundation body with blocked thrust below a wave motion area are recited above and incorporated herein by reference. Claims 53 and 55 depend from claim 51 and recite additional patentable features. As such, Applicant submits that claims 51, 53 and 55 are not anticipated by the ‘292 reference. Accordingly, Applicant respectfully requests that the Examiner’s rejection be withdrawn.

In the Office Action on page 4, paragraph 2, the Examiner rejected claim 48 under 35 U.S.C. 103(a) as being unpatentable over WO 01/73292 A1 (“‘292 reference”) in further view of U.S. Pat. No. 2,394,764. Claim 48 recites the invention of amended claim 20 wherein the

foundation body comprises a plurality of hollow metal tubes joined to each other and fillable with water or gas. The deficiencies of the '292 reference with respect to claim 20, from which claim 48 depends, are aforementioned and incorporated herein by reference. From U.S. Pat. No. 2,394,764, a metallic pontoon is known with two cylindrical bodies arranged and fixed parallel to each other. However, these pontoon elements also swim like ships on the surface of the water and float and/or sink into the water, according to its own weight and the actual load. As aforementioned, the present invention works on a totally different principle compared to a floating platform, and U.S. Pat. No. 2,394,764 does not teach blocked thrust. U.S. Pat. No. 2,394,764 does not cure the deficiencies of the '292 reference with respect to claim 20, from which claim 48 depends. Therefore, the combination of the '292 reference with U.S. Pat. No. 2,394,764 does not result in the present invention. As such, Applicant submits that claim 48 is patentable over the '292 reference in further view of U.S. Pat. No. 2,394,764. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

In the Office Action on page 5, paragraph 1, the Examiner rejected claim 50 under 35 U.S.C. 103(a) as being unpatentable over the '951 reference in further view of U.S. Pat. No. 5,617,813. Claim 50 recites the invention of claim 49 wherein the fish farming installation comprises a cage or a net. The deficiencies of the '951 reference with respect to claim 20, which claim 50 depends, are aforementioned and incorporated herein by reference. U.S. Pat. No. 5,617,813 does not cure the deficiencies of the '951 reference with respect to claim 20, from which claim 50 depends. Therefore, the combination of the '951 reference with U.S. Pat. No. 5,617,813 does not result in the present invention. As such, Applicant submits that claim 50 is patentable over the '951 reference in further view of U.S. Pat. No. 5,617,813. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

In the Office Action on page 5, paragraph 5, the Examiner rejected claim 52 under 35 U.S.C. 103(a) as being unpatentable over the '292 reference in further view of Great Britain Pat. No. 849,887. Claim 52 recites the method of claim 51 further comprising controlling the depth of the foundation body in the water through adjustment of the counterweights. The deficiencies of the '292 reference with respect to claim 51, which claim 52 depends, are aforementioned and incorporated herein by reference. Great Britain Pat. No. 849,887 does not cure the deficiencies of the '292 reference. Therefore, the combination of the '292 reference with Great Britain Pat.

No. 849,887 does not result in the present invention. As such, Applicant submits that claim 52 is patentable over the '292 reference in further view of Great Britain Pat. No. 849,887. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

In the Office Action on page 6, paragraph 3, the Examiner rejected claim 56 under 35 U.S.C. 103(a) as being unpatentable over the '292 reference in further view of the '951 reference. Claim 56 recites the method of claim 55 further comprising attaching a fish farming installation to the foundation body. The deficiencies of the '292 reference with respect to claim 51, which claim 56 depends, are aforementioned and incorporated herein by reference. Because the '951 reference does not cure the deficiency regarding a foundation body with blocked thrust below a wave motion area of water as aforementioned, the '951 reference does not cure the deficiencies of the '292 reference regarding claim 51, from which claim 56 depends. Therefore, the combination of the '292 and '951 references does not result in the present invention. As such, Applicant submits that claim 56 is patentable over the '292 reference in further view of the '951 reference. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Applicant submits that all claims pending in the patent application are in condition for allowance. The fees for the RCE and additional claims are included herewith. In the event there are any further fees due and owing in connection with this matter, please charge same to our Deposit Account No. 11-0223. Accordingly, both reconsideration of this application and its swift passage to issuance are earnestly solicited.

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Respectfully submitted,

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